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Raising the Bar: Professionalizing Procurement for Impact

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Introduction

The Public Procurement (PP) Function calls for proficiency in multi-disciplinary fields of knowledge and practice.

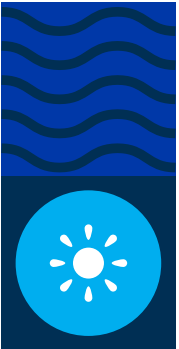
In recent years, the Public Procurement Function has increasingly become more complex due to:

- Ever-wider spectrum of government procurement needs,
- evolving markets and supply-chain complexities,
- new procurement and contractual modalities and use of ICT technologies and related cybersecurity and privacy risks etc.
- Increased obligations posed by the requirements of the ES /Climate Change and Integrity governance frameworks and related Risk Management.

while being required to deliver “*Value for Money*” not only for the “buying public organization” but also for the “society as a whole” including environmental and social /decent work outcomes in a ***fair, proportionate, open and transparent*** manner.

This departure from the traditional long-standing concept of “*lowest price/lowest evaluated bid*” (from the perspective of the public-buyer organization) was reinforced by the introduction of the EU Directives of 2014, MDBs Regulations of 2015-6 and OECD

Recommendation on PP of 2015.

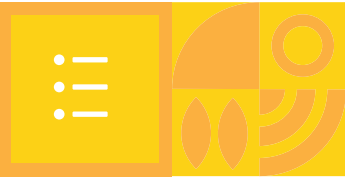
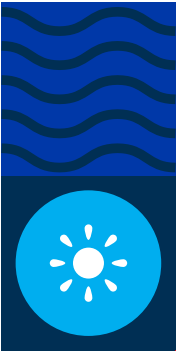


EU Directive 24 of 2014 on PP

The European Union PP Directive 24/2014 aimed at harmonizing the reform and modernization of PP regimes in Europe and promoted the **strategic use** of public procurement through, inter alia:

- Aggregation of demand by public purchasers (economies of scale)
- Use of Life cycle costing and social/environmental **award** and **selection** criteria
- Increased access to PP market by SMEs and Reserved Contracts for social purposes/disadvantaged groups
- Detailed rules on transparency, conflict of Interest, contract modifications and Exclusion grounds.
- Expansion in the use of the Negotiated procedures including Innovation Partnership and Mandatory e-procurement.

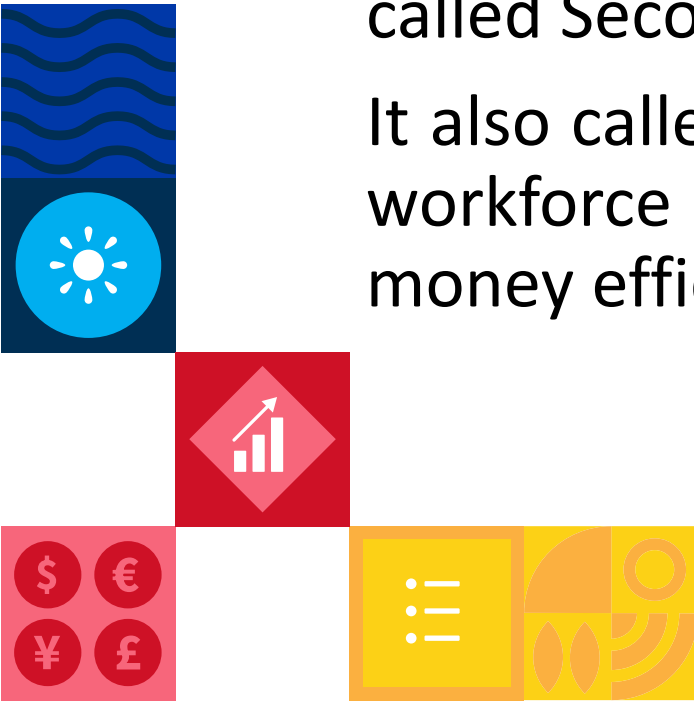
Therefore, EU PP Directive of 2014 **indirectly** raised the required professional profile of PP officers by demanding strategic, market-aware and digitally literate PP staff in addition to the additional skills needed to cope with the expanded use of multi-stage complex negotiated procedures (including innovation).



OECD Recommendation on Public Procurement- 2015

In 2015, the OECD Recommendation of the Council on Public Procurement called for the ***strategic use*** of public procurement considering its magnitude and its potential for contribution to further promotion of national sustainable development goals (so-called Secondary Objectives).

It also called upon countries to develop a dedicated procurement workforce with the capacity to consistently deliver value for money efficiently and effectively.



EU RECOMMENDATION 1805/2017 (Building an architecture for the Professionalisation of public procurement)

Recommendation No. 1805 of 2017 soon followed the EU PP Directive 24/2014 targeting the importance of PP professionalization in order to ensure the efficient application of public procurement rules and achieving the desired outcomes.

The purpose of this Recommendation is to provide Member States with a reference framework to build the structure for PP Professionalisation that will serve to upgrade the profile, influence, impact and reputation of procurement in delivering public objectives.

It encourages Member States and their public administration to roll-out PP Professionalisation initiatives at all levels while drawing the attention of the Recommendation's contents to the bodies in charge of training the auditors and officials responsible for the review of public procurement cases.

Recommendation 1805/2017 advises that PP Professionalisation in the EU Member states should be based on an overall strategic approach along three complementary objectives:



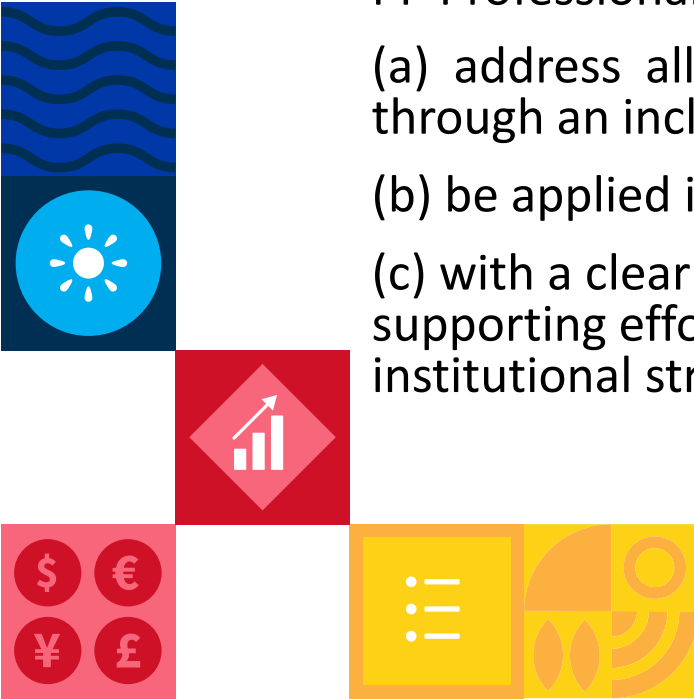
EU RECOMMENDATION 1805/2017 (Building an architecture for the Professionalisation of public procurement)

I. Defining the policy for PP professionalization:

Development of a National PP Professionalisation Policy and Strategy tailored to the country's needs, resources and administrative structure, either standalone or as part of wider professionalisation policies of public administration. The PP Professionalisation Policy would aim to ***attract, develop and retain skills, focus on performance and strategic outcomes and make the most out of the available tools and techniques.***

PP Professionalisation Policy should count on high level political support and:

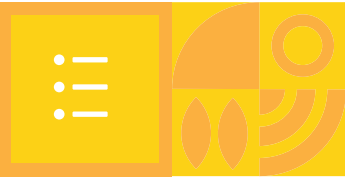
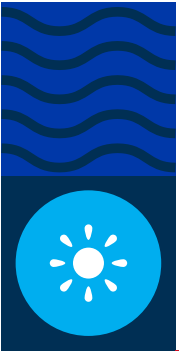
- (a) address all the relevant participants in the procurement process and be developed through an inclusive process at national, regional and local level;
- (b) be applied in coordination with other policies across the whole public sector.
- (c) with a clear assignment of responsibilities and tasks to institutions at *central policy level*, supporting efforts at local, regional and sectoral levels and using where appropriate, the institutional structures promoting specialisation, aggregation and sharing of knowledge.



EU RECOMMENDATION 1805/2017 (Building an architecture for the Professionalisation of public procurement)

II. Human resources: improving training and career management of procurement practitioners:

- Definition of the baseline of skills and competences (Competence Framework) that public procurement practitioners at all levels should be trained in and should possess, taking into account the multidisciplinary nature of procurement including training for related functions ex. for judges and auditors.
- Development of appropriate training programs — initial and lifelong — based on performance survey data and needs assessment, as well as on competence frameworks. Training programs to include graduate and post-graduate level and other entry-level career training; use interactive solutions or eLearning tools for wider outreach; and drawing benefits from academic cooperation and research to develop a sound theoretical backing for procurement solutions.
- Introduction of sound human resources management (HRD), career planning and motivational schemes specific to the procurement functions aiming to attract and retain qualified staff; such as: (a) recognition and/or certification schemes which properly identify and reward procurement functions; (b) career structures, institutional incentives and political support to deliver strategic outcomes; and (c) excellence awards to promote good practice

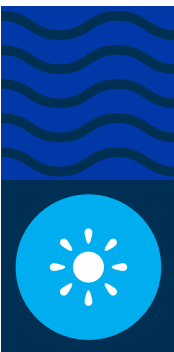


EU RECOMMENDATION 1805/2017 (Building an architecture for the Professionalisation of public procurement)

III. Systems: providing tools and methodologies to support professional procurement practice:

Public procurement practitioners must be equipped with the right tools and support to act efficiently and get best value for money for each purchase; such as online portals and e-Procurement tools, guidelines, manuals, templates and cooperation tools, with corresponding training, support and expertise, aggregation of knowledge and exchange of good practice like:

- (a) tools to promote integrity, at individual and institutional level: establishing codes of ethics as well as charters for integrity;
- (b) using data on irregularities and developing specific guidance to prevent and detect fraud and corruption, including through whistleblowing channels.
- (c) Introduction of standardised templates and tools for various procedures such as green public procurement criteria, rated criteria and LCC calculations.
- (d) technical assistance by means of reactive helpdesks, hotlines and/or email services; organising seminars and workshops to share/explore new legal and other developments, policy priorities and good practice; and encouraging the creation of communities of practice through online fora and professional social networks.



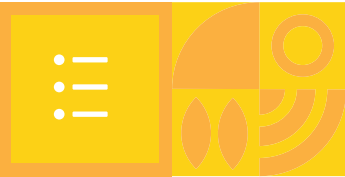
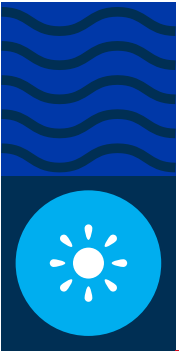
European Union Public Procurement Competency Framework (EU ProcurComp)

As a follow-up on the EU Recommendation and to further facilitate its implementation, in 2020, the European Union introduced ProcurComp, a competency framework matrix for public buyers with thirty (30) procurement and other soft competencies scaled across four (4) proficiency levels.

The Competency Framework includes the competences that public buyers need to fulfil their tasks; like legal, economic and market knowledge and increasingly soft, commercial and other job-related skills to perform effectively like relationship /risk management skills.

ProcurComp represents a milestone in defining public procurement professionalism with reference to a pre-defined set of competences acknowledged throughout the EU countries.

As of 2020, only 38% of OECD countries recognise public procurement as a standalone profession.



European Union Public Procurement Competency Framework (EU ProcurComp)

EU ProcurComp is a flexible, voluntary and customisable tool. ProcurCompEU is a model that does not require using each and every component of the framework, nor does it require the use of each and every competence defined in the ProcurCompEU Competency Matrix.

Procurement-specific competences: 19

Horizontal: 9 competences applicable to all stages of the public procurement lifecycle (legal, use of digital tools, supplier management, sustainable proc, planning, negotiations, process steps, innovation, category)

Pre-award: 6 competences required to perform all the tasks and activities taking place **before** the award of a public contract (tender doc prep, market engagement, tender eval, tech specs, proc strategy, needs assessment)

Post-award: 4 competences necessary for the contract management **after** the award of a public contract (Payment certification, contract management, reporting, conflict resolution/mediation)

Source: (European Commission, 2020)



European Union Public Procurement Competency Framework (EU ProcurComp)

Soft competences: 11

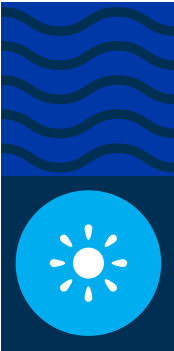
Self/Personal: 4 competences: adaptability, analytical thinking, communications, ethics.

People: 4 competences enabling public procurement professionals to interact and cooperate with other professionals (collaboration, team management, stakeholder relationship, org. awareness)

Performance: 3 competences public procurement professionals need to have in order to increase value for money in public procurement procedures (project management, performance orientation, internal control and risk management)

Each competence is described along *four proficiency levels* based on the breadth of knowledge and skills: **Basic, Intermediate, Advanced, and Expert.**

Source: (European Commission, 2020)



OECD Policy Paper on Professionalising the public procurement workforce -2023

In 2023 OECD published a policy paper on PP Professionalisation based on desk research and the data collected through the 2020 OECD Survey on Professionalisation and the 2018 OECD Survey on the Implementation of the 2015 OECD Recommendation on Public Procurement. The 2023 Paper outlines the three main stages of professionalisation initiatives:

I. Assessing the current level of professionalization: Two (2) dimensions:

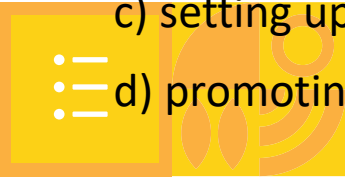
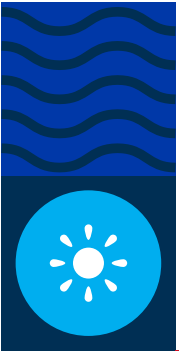
- a) the current professionalisation system, and
- b) the current level of capability of the public procurement workforce,

II. Developing a professionalisation strategy:

Drafting the Strategy with defined initiatives and their targets (and indicators of achievement) within a specified timeline based upon (I) above and through active stakeholder engagement.

III. Implementing a professionalisation strategy:

- a) developing a competency model and a certification framework,
- b) developing capacity-building systems,
- c) setting up incentive mechanisms, and
- d) promoting collaborative approaches with knowledge centres.



OECD / MAPS- Professionalisation Assessment Module

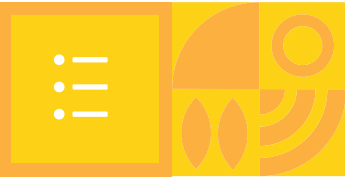
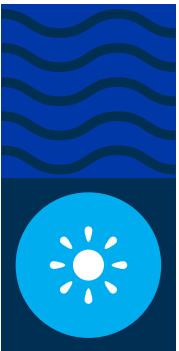
This is a supplementary stand-alone Module that further develops upon the PP training/capacity-building requirements presented in the Core MAPS Module (Assessment of PP Systems). It was first introduced in 2019/2020.

OECD/MAPS Professionalisation Module focuses mainly on assessment of the existence of conditions (regulatory and policy framework, institutional and managerial, operational and market capacity, and the system of integrity) that favour and promote the development of the PP profession.

As per OECD / MAPS Professionalisation Module : professionalisation of public procurement has a double meaning

- (i) **Professionalisation**: the process by which the occupation of public procurement practitioners becomes a real profession of highest integrity and competence, distinct from other existing professions ("procurement is recognised as a profession in the country's public service"); and
- (ii) **Professionalism**: the process by which the overall competencies and skills of procurement officials are improved and recognised in order to deliver overall better outcomes ("strategies and programs are in place to develop the capacity of procurement staff and other key actors involved in public procurement").

The module comprises ten (10) indicators and 21 sub-indicators to be assessed. The indicators rest on the four pillars of the MAPS core module: a) the existing legal and policy framework; b) the institutional framework and management capacity; c) procurement operations and market practices; and d) accountability, integrity, and transparency of the procurement system.



THE ROADMAP TOWARDS PP PROFESSIONALISATION

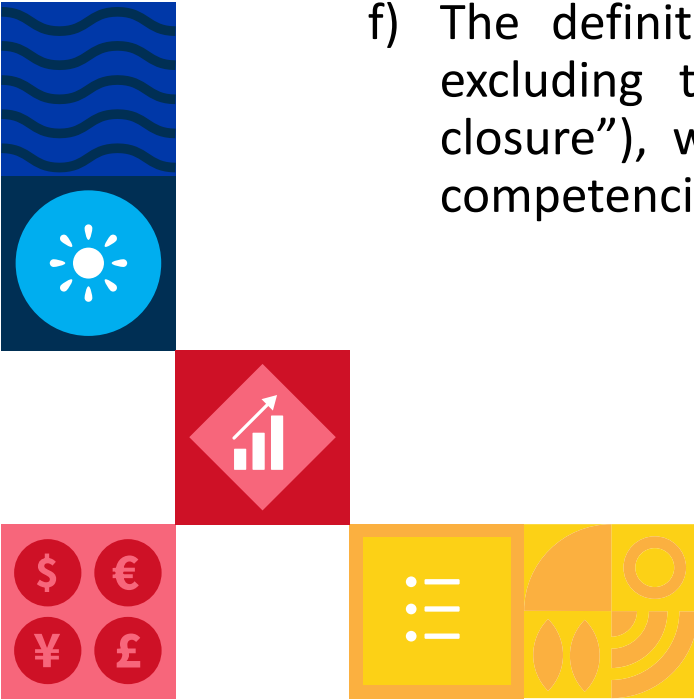
PP professionalisation process may take different paths in the pursuit of staffing the PP function with highly qualified personnel. This path can include:

- a) The recognition by the normative/regulatory function and the country's public service of the existence of the PP profession as well as its strategic function in the implementation of policy choices of procuring entities;
- b) Development of a Competence Framework with designated levels of proficiency including the definition of standards for professional conduct, which are explicit, systematic, mandatory and public service oriented, are incorporated into codes of ethics, whose violation leads to the application of professional sanctions that, in serious cases, include the exclusion of the offender from the profession and its privileges;
- c) Development of PP implementation tools and templates (e-Procurement tools, guidelines, manuals, templates and standard documents, cooperation tools, with corresponding training, support and expertise;



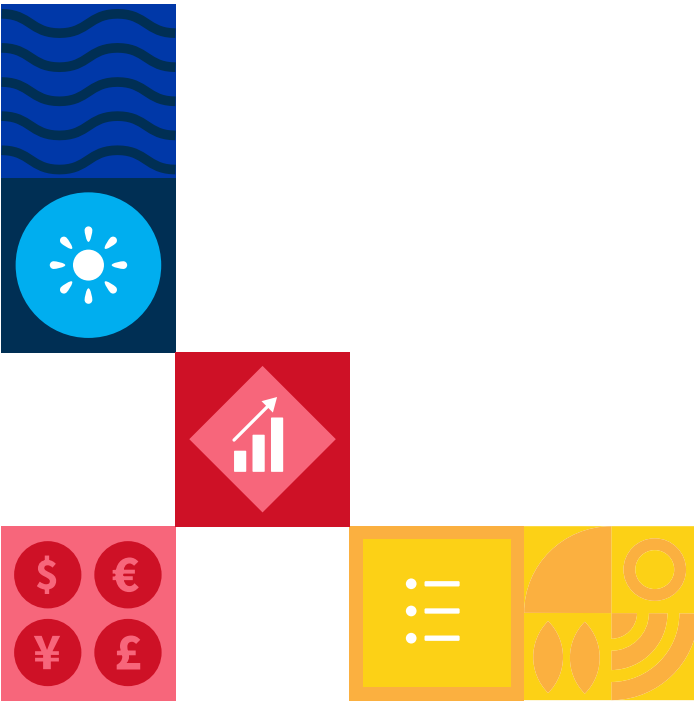
THE ROADMAP TOWARDS PP PROFESSIONALISATION

- d) Certification of PP practitioners: A formal recognition that an individual has met certain predefined standards or competencies. It is provided by a certification body (which itself should ideally be accredited), usually with validity renewal conditions.
- e) Accreditation of certification bodies: A third-party attestation that a certification body (or training provider) is competent to perform specific tasks. It is provided by a national accreditation body (a public entity or the normative/regulatory body for PP)
- f) The definition of areas of practice reserved to public procurement professionals, excluding their practice by those not recognised as professionals (“occupational closure”), with appointment/promotion competitive and based on qualifications and competencies specified; and



THE ROADMAP TOWARDS PP PROFESSIONALISATION

- g) The establishment of levels of remuneration, staff development and training, according to the professional status, levels of education, experience, and risks in the exercise of the public procurement profession, with performance being evaluated on a regular and consistent basis.
- h) Collaboration with knowledge centres equipped with specialised expertise in public procurement like research bodies and universities to promote collaborative approaches to improve skills and competences (joint research and training based on the Competence Framework) including introduction of university degrees in PP.



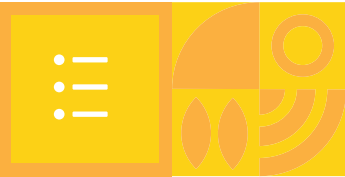
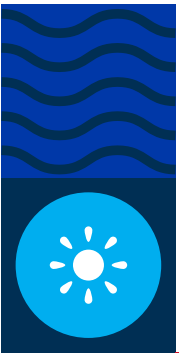
Professionalization in Public Procurement in the Philippine

At present, civil servants undertaking public procurement responsibilities are encouraged to undergo professional training and certification. The Government Procurement Policy Board – Technical Support Office (GPPB-TSO), in collaboration with institutions like Central Luzon State University (CLSU), offers the Public Procurement Specialist Certification Course. This program comprises three levels basic, intermediate and advanced, This cover public procurement Principles, Legal Context, Audit, Performance Monitoring, Fraud, Infrastructure Projects, Leadership, Planning, Contract Management, Supply Chain, Goods, Consulting Services, Ethics and Green Procurement.

The move from enhancing Procurement Professionalism towards Procurement Professionalization in the Philippines

The New Procurement Act of July 2023 stipulates that procurement professionalization is a core principle of procurement policy in the Philippines. Sec 46 of the Act requires the Department of Budget and Management (DBM) to create procurement positions in government service based on qualification standards recommended by the Government Procurement Policy Board (GPPB) and approved by the Civil Service Commission (CSC).

Under this Sec 46, the Professional Regulation Commission (PRC), in consultation with the GPPB, is tasked with establishing, administering, and regulating the procurement professionalization program, which includes the continuing education of public procurement professionals as a requirement for holding a procurement position in government



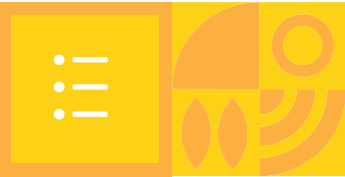
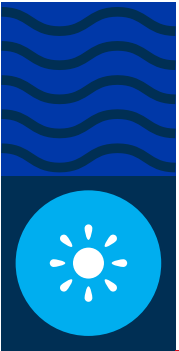
CONCLUSIONS

The professionalization of public procurement is a long and complex process, which requires the participation of multiple actors of varied nature (public, private, civil society, professional associations, training providers, academic institutions, among others).

Professionalisation of public procurement is still at an early stage, where many of the definitions of requirements and best practices are under development. Research further indicates that exact strategy prescriptions may not be “one size fits all” and that national strategies for promoting the processes of professionalization are better-tailored to be country-specific, incremental but without losing sight of the ultimate objective while focused on the provision of tools and resources that support the professionalisation efforts of the country.

Role of Government in the PP Professionalisation process:

1. to promote the conditions for professionalism to arise and develop;
2. define the conditions of a public procurement career in the civil service and restrict access to certain positions in that career line based on professional competences and credentials;
3. define preferences for hiring professionals of public procurement and establish access requirements to procurement positions;
4. Establish controls on accountability and integrity in the exercise of the function; and
5. the provision of remuneration suitable for attracting and retaining professionals.



CONCLUSIONS

Professionalisation brings capability and recognition to the PP Function while providing the basis for Accountability.

However, as for the rest of the professions, the Professionalisation of PP must be promoted and developed by professional bodies or academic institutions (depending on the model which is best suited to the country context).

MDBs, WB for an example, are currently funding country feasibility studies as to how best to professionalise PP in each country's context.



THANK YOU FOR LISTENING

